

REMARKS

Claims 1-10 have been presented for examination. By the Office Action dated 27 January 2006, Claims 1-10 were rejected under 35 U.S.C. §102(e) as being anticipated by Underwood (US 6,704,873). Further, claims 2-4 and 6 were rejected under 25 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as invention. By this response, Claims 1-10 remain unchanged. Claims 1-10 are therefore still pending. Given the reasons set forth below, reconsideration is respectfully requested.

Rejection under 35 U.S.C. §102

In response to the rejection of Claim 1 in the Office Action, Applicant respectfully but strongly submits that the cited document, Underwood, does not anticipate Applicant's claimed invention.

Applicant's Claim 1 recites a method for executing a work flow in a WFMS having at least one process instance executing an original process definition and migrating the process instance to a changed process definition. According to the method, each process instance is checked during the execution of the original process definition whether the process instance meets a migration condition. If the migration condition is met, each process instance is migrated during the execution of the original process definition to a modified process definition such that as a result of the migration, the process instance executes said modified process definition.

The invention can advantageously be applied when long-running instances of processes according to a process definition are executed and the process definition has to be changed, e.g., due to external reasons. The invention provides a method that allows to migrate the running process instances such that after migrating, the running process instances conform to the changed process definition.

Underwood describes a system and method of providing a global internetworking gateway architecture in an e-commerce environment. In particular, a method for providing an activity framework is described. According to this method, a plurality of

sub-activities are created which each include sub-activity logic adapted to generate output based on an input received from a user upon execution. Further, a plurality of activities are defined, each of which execute the sub-activities in a unique manner upon being selected for accomplishing a goal associated with the activity. (This has been cited by the examiner, see column 28, lines 45 to 51).

Underwood does not disclose that a process instance is checked during the execution of an original process definition whether the process instance meets a migration condition and that the process instance is migrated to a modified process definition such that said process instance, after migrating, executes the changed process definition.

The generation of output based on an input and the corresponding processing of the input data is not related to check whether a process meets a migration condition, i.e. is suitable to be migrated to a modified process definition. In particular, nothing is being said about a condition being checked by the sub-activities.

Further, the execution of the sub-activities by the activities in a unique way does not imply that a definition of a process is changed and that a process instance is migrated to changed process definition and that this is done after the check whether a migration condition is fulfilled has been successful.

In particular, it is not disclosed in Underwood that the definition of the sub-activities changes. Also, it is not disclosed that the way of generation of output based on an input changes.

Additionally, it is not said in Underwood that the execution of the sub-activities by the activities is done depending on the result of the check of any migration condition.

Therefore, the method and system described in Underwood is not related to the migrating of a process instance from an original process definition to a modified process definition in the sense of the present invention, i.e., such that as a result of the migration, the migrated process instance executes said modified process definition.

As Underwood fails to disclose each and every element contained in Claim 1, Underwood cannot anticipate Claim 1. Accordingly, the Examiner is respectfully requested to withdraw the rejection of Claim 1 as been anticipated by the disclosure contained in Underwood. At least by virtue of their dependencies to Claim 1, Claims 2-9 are also allowable over the disclosure contained in Underwood.

Applicant respectfully submits that Claim 10 is also allowable over the disclosure contained in Underwood for reasons set forth with respect to Claim 1.

Rejection under 35 U.S.C. §112

In response to the rejection of claims 2-4 and 6 in the Office Action, Applicant respectfully but strongly submits are not indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as invention.

Claim 2 describes that a set of worst case migration points is defined and that the process instance is migrated if its execution has not gone beyond anyone of said worst case migration points. The worst case migration points can be defined in various ways and specify the points to which the execution of the process instance may have been executed such that the process instance still is migrated.

Claim 3 gives two alternatives for the definition of the worst case migration points. These are user input and the computation of the worst case migration points based upon the original process definition and the modified process definition. Claims 5 and 6 detail the computation of the worst case migration points mentioned in claim 3.

When the worst case migration points have been computed according to claims 5 and 6 they may be used according to claim 2 to decide whether the process instance is migrated to a modified process definition.

In view of the above, Applicant submits that Claims 2-4 and 6 are definite and are allowable under 35 U.S.C. 112.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

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Respectfully submitted,



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